



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/822,417 04/02/01 YAMANAKA

H 3192-2

EXAMINER

MMC2/1026

DOUGHERTY & TROXELL
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5205 LEESBURG PIKE
FALLS CHURCH VA 22041

ART UNIT IS, R PAPER NUMBER

DATE MAILED:

10/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/822,417

Applicant(s)
Yamanaka

Examiner
Robert Raevis

Art Unit
2856



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-3 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-3 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other:

Art Unit: 2856

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Page 4's section "C", mount "B"; page 5's monitor "37", memory "41" and device "43". Correction is required.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: elements 48, 50, 52, 46 and 64 of Figure 1B. Correction is required. ✓
3. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 1; does the means for setting really set ("setting" on line 10) prescribed allowable environmental condition data? Isn't that done by an operator?; "ditigital" should read -- digital --; "producing warning signal" (lines 11-12) "if" (line 12) what event?; does "said digital data" (line 11) correspond to the "ditigital data" (line 8), which necessarily relates to all of the analog data signals of lines 3-6? (ie is there a comparison made with signals from the microphone, wind gage and plurality of sensors?); does the "said digital data" (lines 13, 14 and 15) each correspond to the data from the microphone, wind gage and plurality of sensors?; and "said magnetic flux data" and "said vibration data" lack antecedent basis.

As to claim 3; does "said analog data" (line 4 of page 8) refer back to all of the "analog data"?; "dataon" to -- data on --.

Art Unit: 2856

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Toyota teaches measuring sound and vibration of an environment under test, but not that of an electronic apparatus under test.

Krajact et al test an electronic apparatus, but not with the particular sensors described in claims 1 and 3.

Hobbs use vibration and temperature variations in testing products.

Chase et al teach use of temperature sensors within a chamber to test an item under test.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Raevis whose telephone number is (703) 305-4919. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Raevis
R. Raevis